

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LARRY GOOD & ASSOCIATES, INC.,
D/B/A P.I. MIDWEST, A NEBRASKA
CORPORATION,

Plaintiff,

vs.

WILLIAMS AND COMPANY
CONSULTING, INC., AN IOWA
CORPORATION

Defendant.

NO. 8:06-cv-280

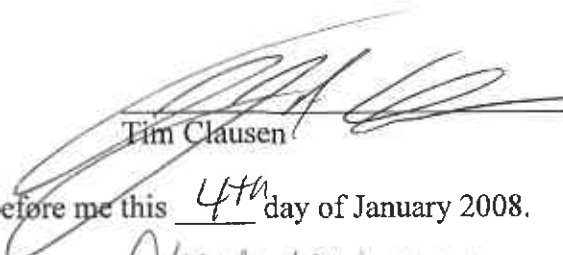
**AFFIDAVIT OF TIMOTHY A.
CLAUSEN IN SUPPORT OF
DEFENDANT'S MOTION TO
EXCLUDE EVIDENCE AND
WITNESSES PURSUANT TO RULE
37 (b) (1) OF THE FEDERAL RULES
OF CIVIL PROCEDURE**

COMES NOW the undersigned Timothy A. Clausen, being duly sworn and under
oath states:

1. I am the attorney for Williams and Company Consultng, Inc. I am competent to testify to the matters stated herein based on personal knowledge of this case.
2. The plaintiff has not served any of the mandatory disclosures on the Defendant as described in Fed.R.Civ.P. 26(a) (1) and as set forth in Paragraph 1 of the Order. (hereinafter the "Order").

3. The plaintiff has not served the defendant the statement required by Fed.R.Civ.P. 26 (a)(2) as set forth in Paragraph 7 of the Order regarding expert witnesses.
4. The plaintiff has not served the defendant the lists of non-expert witnesses, and a list of trial exhibits as required by Paragraph 8 of the Order in any manner whatsoever.
5. The plaintiff has not complied with any aspect whatsoever of the Order regarding discovery disclosures filed in this case pursuant to Rule 26 (f).
6. The Defendant will suffer undue prejudice if the plaintiff is allowed to submit evidence through witness testimony and exhibits that have not been previously disclosed as required under the Order.

Further affiant sayeth not.


Tim Clausen

SUBSCRIBED AND SWORN to before me this 4th day of January 2008.


Charlotte Nelson
Notary Public

